United Nations A/ES-10/PV.4

General Assembly
Tenth Emergency Special Session

Official Records

4th plenary meeting
Tuesday, 15 July 1997, 10 a.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 10.15 a.m.

The President: I declare the tenth emergency special session of the General Assembly resumed pursuant to General Assembly resolution ES-10/2 of 25 April 1997, whereby the Assembly decided

> "to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States". *(resolution ES-10/2, paragraph 13)*

In this connection, I should like to draw the attention of delegations to document A/ES-10/8, which contains a letter dated 7 July 1997 from the Permanent Representative of Egypt to the United Nations to the President of the General Assembly, by which he requested, on behalf of the States members of the League of Arab States, the resumption of the emergency special session.

Scale of assessments for the apportionment of the expenses of the United Nations (A/ES-10/3/Add.1)

The President: In a letter contained in document A/ES-10/3/Add.1, the Secretary-General informs me that, since the issuance of his communication dated 24 April 1997, Cape Verde, the Dominican Republic, Georgia, Guinea, Guinea-Bissau, Madagascar, Nicaragua, Saint Vincent and the Grenadines, Seychelles and Vanuatu have made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 5 *(continued)*

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Report of the Secretary-General (A/ES-10/6 and Corr.1 and Add.1)

Draft resolution (A/ES-10/L.2)

The President: The first speaker inscribed on the list this morning is the Observer of Palestine.

In accordance with General Assembly resolutions 3237 (XXIX), of 22 November 1974, and 43/177, of 15 December 1988, I now call on the Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): At the outset, I would like to extend to you our gratitude and appreciation for the resumption of this tenth emergency special session, in accordance with paragraph 13 of resolution ES-10/2 and upon the request of the Arab Group and the endorsement of the Non-Aligned Movement, as well as the endorsement of the Organization of the Islamic Conference and the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

97-85846 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Despite all the difficulties, the convening of the tenth emergency special session was and remains a victory for right, justice and the collective will of the international community in the face of violations of the Charter, international law and United Nations resolutions, in the face of the arrogance of power and the mentality of occupation, and in the face of the abuse of the power of veto and attempts to neutralize the Security Council.

We have united and continue to be united for peace in order to stop all illegal Israeli measures in Jerusalem, to stop settlement activities, to salvage the peace process in the Middle East and to establish a just, permanent and comprehensive peace in the region. We meet today in resumed emergency special session to reaffirm our seriousness, to show that the international community means what it says and to prove that no country is above international law and that challenging the will of the international community is unacceptable. Today, the Assembly should adopt additional recommendations for the necessary collective measures in accordance with General Assembly resolution 377 (V) to ensure compliance with the will of the international community.

We have all received the report of the Secretary-General, His Excellency Mr. Kofi Annan, submitted in accordance with paragraph 9 of resolution ES-10/2. Allow me at this time to express our gratitude and great appreciation to the Secretary-General for his efforts in the preparation of this report, which is an important document setting out the real picture with regard to the implementation of that resolution, in particular with regard to the Jebel Abu Ghneim settlement and all the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. It is a document which should serve as a new shock for the international community concerning the reality of what Israel is undertaking. It should also serve as an additional reason for the international community to take decisive measures in this regard.

We have seen in the report that Israel has tried to impose certain restrictions on the scope of the mission which the Secretary-General had intended to send, leading in practice to his decision not to send the mission. It is not new for Israel to reject United Nations resolutions, including resolutions of the Security Council and of emergency special sessions of the General Assembly, for Israel has the arrogance and the automatic protection that have enabled it to do so in the past. However, this is the first time we have witnessed not only the illegal Israeli rejection of a resolution — that of the tenth emergency special session — but also an attempt to impose the Israeli position on the Secretary-General. The Assembly should strongly condemn this new level of Israeli arrogance and should make sure that this situation will not be repeated in the future.

In terms of substance, we have also seen in the report the reality of what Israel has been doing in Jerusalem and the rest of the occupied Palestinian territory. We have seen that the Israeli Government rejects all the demands and requests set out in resolution ES-10/2. We have seen that it continues to build the new settlement at Jebel Abu Ghneim, in spite of the extraordinary danger that this represents. We have seen that Israel continues to confiscate land, expand existing settlements and build bypass roads, that it continues to take measures to impose additional changes in the character, demographic composition and legal status of Jerusalem and that it treats Palestinians Jerusalemites as "resident immigrants". We have seen that it still rejects the applicability of the Fourth Geneva Convention and that it is acting to dismember the Palestinian territory, to restrict the freedom of movement of people and goods, and to cause a serious deterioration in the economic situation and living conditions of our people. Furthermore, Israel continues many activities that violate international law, raise tension and jeopardize the peace process and the rights of the Palestinians in the occupied territories.

What can be done in the face of all this? Can the Assembly be silent? Will it just reiterate its previous positions in the face of Israel's flagrant defiance and rejection of those positions?

We must also recall the permanent responsibility of the United Nations towards the question of Palestine: the Charter of the United Nations affirms respect for international law, for human rights and for the right of peoples to self-determination. It was the General Assembly that partitioned Mandate Palestine after it inherited the problem from the League of Nations, and it was the Security Council that adopted 25 resolutions affirming the applicability of the Fourth Geneva Convention to the territories occupied since 1967, including Jerusalem, reaffirming further in some of them that settlements are illegal and declaring the Israeli measures in Jerusalem null and void.

At the same time, the United Nations somehow allowed all these Israeli actions to continue for 30 years. Just a month ago, the United Nations commemorated the

thirtieth year of occupation, and this is an occasion to recall that this year also marks 50 years since the partition of Palestine and the adoption by the General Assembly of resolution 181 (II). Fifty years of exile and 30 years under occupation, and our people, of all the peoples of the world, are still oppressed, deprived of their own State and, in addition to all that, subject to settler colonialism and the judaization of their Holy City.

Is it not time for the United Nations to take one step forward — only one step forward to warn the aggressor and to give hope to our people? We hope so. And this is what we are asking of the General Assembly today.

There are two clear legal frameworks with regard to the question of Palestine. The first and most basic framework comprises the relevant provisions of international law and resolutions of international legitimacy, particularly Security Council resolutions, which all affirm the illegality of the Israeli occupation of Arab territories since 1967 and the illegality of Israeli settlements and measures aiming to change the legal status, character and demographic composition of Jerusalem. The second framework, which came later, comprises the agreements reached between the Government of Israel and the Palestine Liberation Organization, which include the 1993 Declaration of Principles on Interim Self-Government Arrangements and the 1995 Interim Agreement on the West Bank and the Gaza Strip. Needless to say, these agreements do not replace the basic framework. They cannot and should not negate or diminish the validity of international law and international legitimacy.

The agreements reached supplement international legitimacy, and any matter that was not clearly and consensually agreed upon between the two parties will remain governed by international law and relevant resolutions of the United Nations. Hence, the Israeli settlements and all Israeli measures in Jerusalem that violate international law are illegal and have no legal validity whatsoever, and will remain so. Any action based on illegal foundations shall remain illegal, and no recognition can be granted to it or to its results, irrespective of the passage of time or any change of conditions.

In addition to being illegal under the first framework, the resumption of the campaign of settler colonialism being carried out by the Israeli Government and Israel's attempts to continue the judaization of Jerusalem and to change its status also grossly violate the letter and the spirit of the agreements reached between the two parties. These actions represent a resumption of the conflict and the pre-emption of the upcoming negotiations.

For all these reasons, the illegal Israeli actions must be stopped. The building of the settlement at Jebel Abu Ghneim must be stopped. Colonial settlement, in all its aspects, must be stopped. The attempts to judaize and seize Jerusalem must be stopped. They must be stopped because they grossly violate international law and legitimacy, as well as the agreements reached between the two parties. They must be stopped to salvage the peace process and because refraining from the violation of international law and Security Council resolutions should be the norm.

It is regrettable that some try to exempt Israel, in a manner unprecedented in contemporary history, from its responsibilities in accordance with the first framework — international law and the resolutions of the United Nations — attempting to impose a de facto situation on the Palestinian side, leaving it at the mercy of the imbalance of power on the ground. Worse still is that some do not do what needs to be done to protect the second framework, which is the agreements that have been reached. When there are binding agreements, it must not be said that it is up to the parties to comply. What must be said is that the parties should fulfil their contractual obligations in accordance with the agreements reached, which were witnessed by the two sponsors of the peace process and several other important parties.

Why is the Government of Israel doing all this? Is it doing all this because of reasons beyond its will, or because of certain fears, or in reaction to actions taken by the Palestinian side, as claimed by its Government? Most regrettably, the answer to all these questions is no. That Government is aware of what it is doing. It officially planned the resumption of colonial settlement activities in order forcibly to acquire more Palestinian land and to seize Jerusalem. It has also attempted to change the foundations of the peace process and to impose different agreements and frameworks on the Palestinian side. In order to achieve this, the Israeli Government is exerting as much pressure as possible, including through economic suffocation and a vicious defamation campaign against the Palestinian Authority.

The Israeli Prime Minister revealed to several Israeli officials what can be referred to as "Netanyahu's Plan" for peace. This plan includes the establishment of "Greater Jerusalem"; the establishment of a wide security zone along the Jordan River; a buffer zone along the

truce line; and the annexation of Israeli settlement blocs, leaving less than half of the occupied territory without geographical contiguity, thus ensuring that the Palestinians will be unable to realize their national rights. This plan, in addition to the general policies of the Government, reflects the precise reality of what Israel is actually doing on the ground.

The Israeli Government is attempting to destroy the basis of the historical reconciliation and mutual recognition of the existence and rights of the two parties. It is attempting to retain what it gained from this historic reconciliation, while at the same time denying that gain to the other party. It is attempting to retain recognition, peace and security for itself, while transferring the conflict to the occupied territories with the aim of annexing the largest portion thereof and seizing Jerusalem. This is a distasteful and reactionary colonial mentality that is in no way related to the peace process. We reject it wholesale and will never accept it. Israel must choose whether or not there will be peace, whether or not there will be mutual recognition.

Our Palestinian people made many concessions with regard to their historic rights to their homeland in order to achieve peace. They offered more than one vision to solve this historic conflict — visions which were progressive and democratic in nature. Recently, they accepted that which was being avowed by the whole world, in spite of the injustice inflicted upon them. They accepted a solution based on Security Council resolutions 242 (1967) and 338 (1973), a solution based on the principle of returning the territories occupied since 1967 for peace. The West Bank, including East Jerusalem, and the Gaza Strip constitute only about 22 per cent of the area of mandated Palestine. In spite of that, some from the Israeli side shamelessly attempt to deny responsibility for the official Israeli acceptance of the solution, which enjoyed international consensus, by rejecting the principle of land for peace or by proposing a compromise between the two sides on the territories occupied since 1967. This position insults our national feelings and the will of the whole world. The compromise, which received world consensus despite being unfair to us, is on mandated Palestine. It has never been on the Palestinian territory occupied since 1967, which must be returned in its entirety.

The whole world is unanimous in rejecting Israeli practices concerning the settlements and Jerusalem. It is also unanimous with regard to the basis of the peace process and the need for the agreements reached to be implemented. That unanimity was expressed recently by the League of Arab States in Cairo, by the Organization of the Islamic Conference in Islamabad and Rabat, the Non-Aligned Movement in Cartagena and New Delhi, the European Union in Amsterdam, the Organization of African Unity in Harare and the summit of industrialized nations in Denver, as well as by the tenth emergency special session of the General Assembly. Only Israel rejects all these factors; only Israel considers the Denver communiqué to be one-sided; and only Israel attacks the report of the Secretary-General. The time is rapidly approaching when Israel will have to decide whether it is a member of the family of nations or outside that family.

In the face of the official Israeli policies destroying the peace process, the vicious colonial settlement campaign, the systematic destruction of their economy and the exacerbation of their daily suffering, our people remain steadfast, defending their land and rights, and no power in the world, enemy or friend, will be able to convince them otherwise. Our people remain steadfast and continue in their collective rejection of occupation and oppression, in spite of the sacrifices they are making in that regard.

The escalation of Israeli oppression in the face of the people's rejection of such policies, especially in Hebron and Al-Muwasi of Khan Younis, and the sanctioned daily harassment by settler gangs, challenging our people even to the extent of insulting our Blessed Prophet, will lead only to further violence and the deterioration of the situation. Furthermore, Israel's use of its military might and its irresponsible threats, including the threat to reoccupy the areas from which the occupying army withdrew, will lead only to real catastrophe. The Israeli accusations that our people's rejection of the policies of occupation is fraudulent and that the mass expression of this rejection is instigated reflect racist thinking and mentality, which strip the people of their humanity and their natural reaction against Israeli policies.

The realization of security and stability depends on the progress made to achieve peace and to provide normal living conditions for our people. The occupation and its mentality and policies are the antithesis of, and will never lead to, security and stability. Furthermore, Israel must understand that equality between nations is the key to coexistence. This requires that Israel understand and accept that the achievement of its security is linked to the achievement of Palestinian security and Arab security as a whole.

The Palestinian people and the Palestinian leadership are still committed to their strategic decision to engage in the peace process and to uphold the agreements reached. We still have not completely lost hope for a qualitative change in the Israeli position, which is necessary to salvage the peace process and bring it back on track. We hope that the sponsors of the peace process, other parties concerned, including the influential ones, and the entire international community will exert additional efforts to achieve that goal.

Nonetheless, we have the unshaken, deep conviction that our people will be able to regain all of their inalienable rights and to establish their independent state, with Jerusalem as its capital, and consequently will be able substantially to contribute to the building of a just, lasting and comprehensive peace in the Middle East. To that end, and in order to guarantee our rights, we will continue to work within the United Nations, and we will continue to return to the emergency special session and to the Security Council. We are hopeful that the United Nations will be enabled to apply one single standard and effectively to exercise its responsibilities.

Mr. Gold (Israel): On 9 September 1993, four days before the historic signing of the Declaration of Principles by Israel and the Palestinians, Chairman Yasser Arafat sent a letter to the late Prime Minister Yitzhak Rabin. In that letter, Mr. Arafat spoke of a new era in the history of the Middle East, in which he and the Palestine Liberation Organization (PLO) committed themselves to renouncing the use of violence and to resolving all outstanding issues through negotiations.

This emergency special session was convened to discuss Israel's construction plans in Jerusalem. But the real issue threatening the peace process today is not an urban housing project which, as the Palestinian Observer has just admitted, does not violate a single provision of the Israel-PLO agreements. The real issue is the unravelling of the very basis of these agreements: the principle that violence will not be used as an instrument to achieve political ends.

This fundamental principle is not alien to the Middle East peace process. When the late President of Egypt Anwar Sadat made his historic visit to Jerusalem in 1977, he declared before the people of Israel, "No more war". And when Israeli and Egyptian negotiators reached an impasse in the months that followed, Egypt did not resort to the threat of violence. It did not mass its armour in Sinai to soften our negotiating positions. Jordan followed a similar code of conduct in the months that led up to the 1994 Jordan-Israel treaty of peace.

In the three years from the signing of the Declaration of Principles in 1993 until last year, the people of Israel have witnessed an unprecedented upsurge in terrorism, much of it emanating from areas under the control of our negotiating partner. As many Israelis died from such attacks in these three years as in the previous decade. But despite the repeated suicide bombings that have struck the heart of its cities, the people of Israel — all the people of Israel — are determined to make the peace process work. They have refused to let terrorism drive them to cynicism and despair.

Rather than stop the peace process, the Government of Israel moved forward this year with the Hebron Protocol and the "note for the record", in which both sides undertook to implement their mutual commitments. Moreover, the "note for the record" made the principle of reciprocity an integral part of the Oslo process.

Since January this year, Israel has taken difficult and tangible steps for peace. In accordance with its undertakings, it has completed the redeployment in Hebron, released convicted terrorists from prison, transferred large funds to the Palestinian Authority, and it has offered a further redeployment that would have more than tripled the area under full Palestinian control in the West Bank, had it been implemented by the Palestinian side. Israel was ready and willing to resume negotiation of all outstanding interim issues and to restart the final status negotiations. In short, Israel did its share of the bargain.

But what about the parallel commitments of the Palestinian side undertaken by Chairman Arafat on 15 January this year? Has the process of revising the Palestinian National Covenant, which calls for the destruction of Israel by armed struggle, been completed? No. Has security cooperation between Israeli and Palestinian security services been strengthened? No, it has been repeatedly cut off. Has the incitement to violence been terminated? No, we see it today in the streets of Hebron. Has there been systematic and effective combating of terrorist organizations? No, Hamas and Islamic Jihad terrorists, such as Ibrahim Makadna and Mohammed Al Hindi, have been released from prison over recent months.

Has there been a single case in which terrorist suspects have been transferred by the Palestinian side in

accordance with its signed undertaking? No. Have illegal arms been confiscated by the Palestinian side in areas under Palestinian jurisdiction? No. Has the size of the Palestinian police been reduced to its agreed level under the Interim Agreement? No. Has Palestinian governmental activity in Jerusalem been halted, as called for in the "note for the record"? No.

In short, while Israel has met all of its commitments, the PLO has met none of its post-Hebron obligations. This is the ironic reality that confronts us as we enter this special emergency session today.

Israel's concern about today's session is not simply that it represents yet another breach of the agreements between us and the Palestinian side. It is far deeper than that. It is that this session represents an approach which threatens to turn the clock back decades, undermining the painstaking efforts of the international community in three vital areas: the work of the United Nations itself, the work of humanitarian organizations, and the work of those involved in the peace process.

As regards the work of the United Nations, any delusions that one might have had about the role that it might play in the Middle East were dispelled by the report submitted pursuant to resolution ES-10/2. The content and tone of the report, and its interpretation of its task, were hostile and one-sided. It entirely ignored paragraph 12 of the resolution and the issue of terrorism. It legitimized the use of incitement and violence as a response to political differences. And despite Israel's offer to place before those preparing the report all relevant information, not one of the serious and controversial allegations contained in the report was submitted to Israel for verification or comment. The report was a disappointment to anyone who had hopes of a productive United Nations contribution and an embarrassment to those involved in its preparation.

The report is damaging not only to the reputation of the United Nations but also to the valuable work done by its agencies. The report tells us that is was based on sources "in the field". Israel has learned that these sources were none other than United Nations agencies operating in the region. This is clearly outside their mandate. United Nations Member States support such agencies so that they can help refugees and coordinate aid projects. The use of such assistance and funding for political ends raises serious concerns. It also threatens to harm the cooperation between host States and United Nations agencies which is essential to their effective functioning.

As if this was not enough, calls for other United Nations organs to make themselves available for debates and resolutions on this issue threaten to undermine the work of the United Nations. One can only shudder at the thought that the contagious sterility of sessions such as this one will spread throughout the United Nations system, infecting its professional bodies and paralysing their valuable work.

Not content with undermining the work of the United Nations and its agencies, the draft resolution before this session threatens to undermine international humanitarian efforts. In particular, by seeking to politicize the Fourth Geneva Convention, it is mixing a dangerous cocktail of the political and the humanitarian spheres which stands to poison genuine humanitarian efforts, not only in our region but in other parts of the world.

The significant achievements in the field of humanitarian protection in all parts of the world have been based on the neutrality of humanitarian law and the organs which monitor its implementation. The politicization of the instruments of humanitarian law would only undermine their effectiveness.

In this context, a neutral observer could only be astonished at the charges brought against Israel with regard to the Fourth Geneva Convention. Israel has explained in this forum many times the juridical reasons why the Convention cannot be considered applicable to the territories. Israel has also explained that in order to ensure that the population does not suffer as a result of such juridical issues, it has undertaken to act in accordance with the humanitarian provisions of the Convention and does so in practice. This is in fact the first and only time the Convention's provisions with regard to occupied territory have ever been implemented. To turn a blind eye to the many examples of actual occupation by signatories to the Convention in which these provisions were ignored and censure Israel — the only party to have implemented them — is a scene from the theatre of the absurd.

Finally, and most urgently, the draft resolution before this session threatens to undermine the peace process — the only serious option for achieving a viable resolution of the differences between Israel and the Palestinians.

And let us be candid in this regard: the reams of resolutions passed in the organs of the United Nations

over the years have not brought the two sides one inch nearer to resolving their differences, while one brief document — the Declaration of Principles — reached in face-to-face negotiations between the parties in Oslo, Norway, has brought them to a new reality.

Let no member of this Assembly delude itself that this session will in any way advance prospects for peace in our region. To the contrary, prejudging issues agreed to be negotiated, focusing on allegations of breaches by Israel while ignoring fundamental violations by Palestinian side, and sidestepping the agreed frameworks for resolution of disputes can only weaken the chances of peace. To the Palestinian side, it is the clearest of messages that the United Nations is a convenient and willing forum for bypassing the peace process. And to Israel it sends the troubling message that taking serious security risks for peace and making tangible moves in the direction of peace, as Israel has done in every one of its agreements with the PLO, are concessions which are quickly forgotten.

The peace process is about to enter its most critical phase. The issues to be dealt with in the permanent status negotiations — Jerusalem, settlements, borders and so on — are the most sensitive and potentially inflammable. I repeat, the people of Israel want this process to work. But for this to happen, three basic ground rules of conflict resolution — a code of conduct — must be followed.

First, violence must be removed from the negotiating table. No disagreement can justify a green light to mob violence or the resumption of terrorist attacks.

Secondly, lines of communication between the parties themselves must be kept open. Ultimately it can only be the parties themselves that can resolve their differences since they alone must live with the consequences of any solution.

Thirdly, we must act in the sprit of accommodation and mutual respect. Burning flags, condoning the murder of land dealers and praising terrorists violate that basic spirit. The defamation of Islam or Judaism must be repudiated by all. A culture of tolerance is a prerequisite for an enduring peace.

If the international community has a role to play in making these negotiations succeed, that role must be to support the agreed framework for negotiations and to encourage compliance by both sides with these three fundamental principles. The present session does neither of these things and threatens to doom to failure the only viable option for peace.

Jewish legend tells of a tyrant who would play a cruel trick on his subjects. Holding a tiny bird in his hands he would ask, on pain of death, whether the bird was alive or dead. If the subject answered "dead", the tyrant would release the bird; if the answer was "alive", he would crush the bird between his hands. One day a wise sage was brought to the tyrant and asked the question: "Is the bird alive or dead?" The sage, aware of the tyrant's trap, thought long and hard. "The answer to that question", he said finally, "lies in your hands".

Is the dialogue between the two sides alive or dead? Are our differences to be tackled face-to-face, in the only way that progress has ever been made, or are we to turn the clock back to fruitless battles in the international arena? And is the international community prepared to play a constructive role in building peace, or will it undermine its very foundations? This session raises these questions. The answer lies in your hands.

The President: I now call on the representative of Senegal, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Ka (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from French*): It is a great pleasure to see you, Mr. President, leading the deliberations of this resumed tenth emergency special session of the General Assembly.

On 25 April 1997, at its emergency special session, the General Assembly adopted resolution ES-10/2 by the overwhelming majority of 134 votes to 3, with 11 abstentions. In that resolution the Secretary-General was requested to monitor the situation and to submit a report on, in particular, the cessation of the construction of the new settlement in Jebel Abu Ghneim, as well as on all other illegal Israeli actions in occupied East Jerusalem and the rest of occupied Palestinian territory.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People deeply regrets that, owing to the restrictions imposed by the Israeli Government on the Secretary-General's mission, restrictions considered unacceptable by the United Nations, it was not possible for the Secretary-General to dispatch his Special Envoy to Israel and the occupied

Palestinian territory and thus to discharge in a fully satisfactory manner the mandate entrusted to him by the General Assembly in resolution ES-10/2.

I would like to take this opportunity, on behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to express to the Secretary-General our deepest appreciation for his efforts in the preparation of the important report before us.

The Committee considers that the report provides the General Assembly with a comprehensive document containing substantive proof concerning the Israeli Government's illegal policies and practices, especially with regard to Jerusalem and illegal settlement activities having harmful consequences for the future of peace in the region. The report also corroborates valuable information that our Committee has received from various reliable sources on the ground.

As indicated in the Secretary-General's report, the Israeli authorities have not ceased their construction of the new settlement at Jebel Abu Ghneim. The report emphasizes in detail the serious political, geographic, demographic and economic effects of the establishment of this new settlement, as well as its negative effects on the peace process.

Settlement activities — including the construction of new settlements, the expansion of existing settlements, the construction of bypass roads, the confiscation of lands adjacent to settlements and other activities in violation of Security Council and General Assembly resolutions — have continued unabated throughout the occupied Palestinian territory.

Israel has published plans for the creation of new housing for settlers in the West Bank and the Gaza Strip. It has been reported that Israel confiscated 30,000 dunums of Palestinian land in the West Bank in 1997 for the expansion of settlements. External support for settlements and their economic infrastructure continued during 1997, including through private support from foreign companies and individuals.

The Israeli Government continues to take illegal measures in Jerusalem aimed at altering the city's character, legal status and demographic composition, including attempts to treat Palestinian Jerusalemites as "resident immigrants" subject to immigration controls. This practice reduces the Arab presence in Jerusalem and now threatens some 60,000 to 80,000 Palestinian Jerusalemites.

The report notes that the Government of Israel has not accepted the *de jure* applicability of the Fourth Geneva Convention of 1949 to all territories occupied since 1967, contrary to the obligations of all High Contracting Parties.

The principle of territorial integrity, which was enshrined in the Declaration of Principles, has been thwarted by operations to seal off areas and by severe Israeli restrictions on the movement of persons and goods. Israeli restrictions have also been imposed on United Nations officials and materials for projects, safe passages have not been established, and arrangements for the Gaza seaport and airport have not been agreed upon. The report deals with a range of other important issues, especially Israeli violations of international law, such as the detention and torture of Palestinians, the Israeli decision to limit the long-delayed redeployment and the systematic demolition of Palestinian dwellings.

The past few years gave rise to the earnest hope that the new international climate conducive to the resolution of long-standing regional conflicts and the unanimous desire of the peoples of the region for peace and an end to violence and bloodshed would finally make a settlement of the question of Palestine possible. The mutual recognition between Israel and the Palestine Liberation Organization, the signing of the Declaration of Principles and subsequent agreements, including on the withdrawal of Israeli forces from the Gaza Strip and some areas of the West Bank, and the establishment of a democratically elected Palestinian Authority have been historic milestones on the road towards peace in the region, a peace that the international community has encouraged and supported by all means at its disposal.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People considers that developments in the situation over the past few years have shown that peace in the region is possible and attainable. The parties must engage in honest and serious negotiations based on the agreements concluded and show the will to resolve the conflict. This will to negotiate must prevail over all else, for the growing tension and violence of recent months, if unabated, could throw the entire region into a renewed cycle of hatred and bloodshed.

While condemning all resort to violence, particularly against civilians, the Committee wishes to recall above all that the peace process progressed because both parties agreed to the basic principle of land for peace, as

provided for in Security Council resolutions 242 (1967) and 338 (1973) and included in the Declaration of Principles of 1993 and later agreements. The international community has overwhelmingly supported this principle, which on the one hand recognizes the right of all States in the region, including Israel, to live in peace within secure and internationally recognized boundaries, and on the other hand reaffirms the inadmissibility of the acquisition of territory by war and recognizes the legitimate rights and claims of the Palestinian people. It also makes provisions for negotiations between the parties on the fundamental issues. We believe that this principle, which has brought the most significant progress in the peace process and which has been formally accepted by the parties as the basis for their negotiations, provides the only solution to this problem.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People deplores the decision taken by the Government of Israel not to cooperate with the United Nations on the basis of resolution ES-10/2. This is why the Committee has supported the resumption of the tenth emergency special session of the General Assembly. The Committee believes that determined action by the international community is necessary in order to restart and reinvigorate the peace process.

On behalf of the Committee, I would like to express the earnest hope that this resumed emergency session will succeed in sending a clear message to Israel to stop its settlement policy and illegal measures, in the interest of peace in the region. The Committee remains convinced that stopping construction and expansion of the settlements, and Israel's ending of provocative measures and obstruction, will restore a climate of confidence in which the negotiations between the two parties could be resumed in good faith and tranquillity.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): This statement will be made on behalf of the Arab Group in my capacity as Chairman of the Group during this month.

The General Assembly resumes today its tenth emergency special session in accordance with the provisions of the resolution entitled "Uniting for peace" (resolution 377 (V)). The Assembly resumes in order once again to consider the way to deal with Israel's non-compliance with the demands of the international community as represented in the General Assembly to put an end to the illegal measures adopted by Israel in the occupied Palestinian territory, including Al-Quds. Foremost among these is the establishment of settlements.

I would like to point out here that the General Assembly would not have held an emergency special session on the subject had the Security Council not failed twice in as many weeks to adopt a resolution calling upon Israel to desist from the establishment of a settlement at Jebel Abu Ghneim, south of East Jerusalem, and from all its settlement activities in general.

At the outset, I would like to express on behalf of the Arab Group our thanks and appreciation to the Secretary-General for his valuable report prepared on the request contained in resolution ES-10/2 on the illegal measures adopted by Israel in the occupied Palestinian territories.

Allow me to mention some of the points in the report of the Secretary-General which the Arab Group would like to highlight. First, the Israeli settlement policy continues unabated, as does the establishment of settlements, in disregard of the provisions of international law and of Israel's contractual obligations. The degree of concern that the Government of Israel feels when it is requested to put the details of its settlement policy before the international community has become abundantly clear in view of its full knowledge of the illegality of the activities it carries out in all the territories it has occupied since 1967, including East Jerusalem.

Secondly, the report details some of the information relevant to the Israeli settlement activity and the illegal measures adopted by Israel in the occupied territories. Despite the fact this information, in our view, is not comprehensive, whatever is contained in the report of the Secretary-General nevertheless leads the reader to the following fact: an avalanche of illegal measures are being carried out by the Israeli Government in the occupied territories in parallel with its declared adherence to the peace process. These measures contradict in spirit and in deed the concept of the establishment of peace and the endeavours to establish a just, lasting and comprehensive peace that is based on the principle of the exchange of all the territory for peace. This is the cause of the frustration and the fury of the Arab side, because the measures adopted by Israel in the occupied territories — foremost among which are the settlement activities — strip peace from its content and actually deal it a fatal blow.

Thirdly, a close reading of the parts pertaining to the consultations held by the Secretary-General with the

Israeli side in order to dispatch a Special Envoy on a mission to the occupied territories to ascertain the situation on the ground and to present his report to the General Assembly made clear the number and type of impediments and hurdles that the Israeli side has tried to impose on the mission of the Envoy of the Secretary-General. We must all agree to reject totally this position. It makes clear the degree of intransigence — indeed, the degree of arrogance — with which Israel deals with the United Nations.

The Secretary-General draws our attention — albeit briefly — in paragraph 19 of the report to the existence of economic activity with the Israeli settlements by individuals and companies from States outside the region. This is extremely grave and necessitates a stand by the international community. The international community cannot decide that such settlements are illegal and at the same time turn a blind eye to the fact that some quarters are supporting the establishment of such settlements or developing their infrastructure or contributing to their economic flourishing.

Fourthly, in paragraph 15 in particular, the report refers to the grave, negative consequences of the establishment of the Jebel Abu Ghneim settlement on the political, geographic, demographic and economic levels. The Arab Group has repeatedly drawn attention to this matter since the subject was first put before the Security Council at the beginning of last March. Once again, on behalf of the Arab Group, I would like to reaffirm that the establishment of the Jebel Abu Ghneim settlement will be the last link in the chain of Israeli settlements around East Jerusalem, thus isolating it geographically from the rest of the occupied Palestinian territories. This is in complete contradiction to the Oslo agreement of 1993, which states that Jerusalem would be one of the subjects of the final status negotiations between the two sides. It is also in contradiction to the Washington agreement of 1995, which states in article XXXI that

> "Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations." *(Interim Agreement on the West Bank and the Gaza Strip, article XXXI, para. 7)*

Fifthly, paragraph 22 of the report is of particular importance, because it addresses measures taken by Israel, notably the general closure of the occupied Palestinian territories, which frustrate and impede the realization of the principle of the territorial integrity of the Palestinian territories as enunciated in the Oslo accords. This is a cause of grave concern to the Arab side, and we draw the attention of the international community to it.

Sixthly, we regret to note that the report refers also to Israel's continued disregard for its obligations as an occupying Power under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949. Israel continues to reject the legal applicability of that Convention to the territories occupied since 1967. In our view, this situation requires prompt intervention by the international community in order to correct it on the basis of the collective responsibility of the High Contracting Parties to the Geneva Conventions.

Once again, we thank the Secretary-General and his collaborators for their great effort in preparing this valuable report under the difficult circumstances that came about as a result of the rejection, intransigence and arrogance of the Government of Israel and its insistence on restrictions that prevented the dispatch of the Special Envoy of the Secretary-General to ascertain the facts on the ground.

Today the General Assembly is faced with one State's blunt refusal to implement its resolutions and comply with its demands. The Assembly is not a club for the exchange of opinions or a forum for merely talking about important international matters, a forum whose demands States can simply ignore once the meeting has adjourned. The General Assembly is in fact the principal organ of the United Nations in which all Member States participate. Participation in the Assembly's work must be based on respect by States for its resolutions and for the purposes and principles of the Charter.

What is requested of Israel today is unambiguous; it is crystal-clear. What is requested — demanded — of Israel is that it desist from continuing its settlement plan, which violates the principles of international law and Israel's contractual obligations, in addition to jeopardizing the peace process. Let me note that the meetings of United Nations bodies, the decisions of the General Assembly and the statements made by the delegations Member States clearly indicating their rejection of this Israeli policy are not what is threatening the peace process, as Israel claims. The fact of the matter is that what threatens the peace process are the actions of the Israeli Government, which are not consonant, in spirit or in letter, with the concept of peace or the principles of the process that, we hope, will lead us to peace.

In the light of what I have just said, the Arab Group believes that it is important for the General Assembly to deal with this situation by adopting a resolution addressing these points, most notably the following. First is the question of the outside support to Israeli settlements from individuals and companies outside the region, and of the goods manufactured in these settlements, which are produced in illegal and illegitimate entities.

Secondly, it is high time that the General Assembly recommended that the High Contracting Parties to the Fourth Geneva Convention, of 1949, convene a conference to consider how the parties to the Convention can discharge their collective responsibility to ensure respect by Israel for the provisions of the Convention and to bring about its application in the territories occupied since 1967.

The third element is a reaffirmation of the principle that participation in the work of the General Assembly must be based upon respect for the principles of the Charter and for resolutions adopted by the principal organs of the United Nations.

We have repeatedly warned that Israeli intransigence can only lead the region into more violence. Violence is the natural result of frustration. We cannot work to end violence unless we deal with its causes. The present deterioration of the situation in the occupied territories evokes the days before the peace process, and leads us all to ask what has brought the peace process into such a serious dilemma, who is pushing the region back into a spiral of violence and extremism, and whose interests are being served by this.

The ultimate goal towards which we all strive must be the establishment of peace in the Middle East. Most regrettably, we see the peace process facing real difficulties that threaten its complete collapse in spite of the ongoing mighty efforts to save it. The present Government of Israel bears complete responsibility for this because of its settlements policy, which flagrantly challenges established international norms, because of its disregard for the demands of the Palestinian side, because it flouts the will of the international community and its relevant resolutions, including that adopted at the tenth emergency special session, and because of its stubborn disregard for the rights, feelings and legitimate demands of the Arab Palestinian people.

A just peace in the region cannot be established in parallel with the establishment of settlements. It is therefore our collective responsibility to work together to frustrate the settlement scheme, which aims at the confiscation of lands that are supposed to be the subject of negotiation. Peace in the region must be based on conciliation of the respective visions of the parties to the peace process. It must be based on the unambiguous foundations that have been agreed upon since the Madrid conference: Security Council resolutions 242 (1967) and 338 (1973). The peace process must result in complete implementation of the principle of the inadmissibility of the acquisition of territory by force — in other words, the principle of land for peace.

For many years, the international community waged a heroic political struggle to secure the rights of the majority in South Africa. We have no doubt that the current situation on the Palestinian track recalls that heroic political struggle. We must remember that during all those long years, the entire international community — apart from the minority regime then in power in South Africa — knew that right would ultimately prevail, and that the holders of the rights would inevitably regain their usurped rights. That is the irreversible course of history everywhere, in Asia, Africa and Latin America. Now we are on the threshold of a historic era that will ultimately witness the inevitable establishment of a Palestinian State. The entire international community realizes and foresees this, but the Government of Israel, in its refusal to respect the rights of the Palestinian people, stands alone — indeed, it swims alone against the current. Right will prevail, no matter how long it takes.

(*Spoke in English*)

I listened with keen attention to the maiden statement of the new Permanent Representative of Israel. I would like to invite his attention to an incontestable fact, namely that the stalemate from which we all suffer today in the Middle East is a direct outcome of the policies pursued by his Government with respect to the creation and construction of settlements. I listened with keen interest — as I believe did everyone else. It was an interesting story: the legend of the tyrant who would play a cruel trick on his subjects. I believe that this legend is very relevant to what is going on in the Middle East today.

Any impartial observer who takes a closer look at all the relevant facts will reach one conclusion: the sage was right. The answer to the question lies in the hands of the Government of Israel.

(spoke in Arabic)

The Government of Israel alone will decide the fate of peace in the Middle East at this very sensitive juncture. Only the Government of Israel can tell us whether the peace process in the Middle East is alive or dead. The fate of the bird of peace is in the hands of the Government of Israel and of no other party.

Finally, on behalf of the Arab Group, I call upon all Member States to fulfil their responsibility for ensuring the implementation of the provisions of resolution ES-10/2 of the tenth emergency special session. I urge them to uphold international legitimacy and to salvage peace in the Middle East by voting in favour of the draft resolution before us.

Mr. Ahmed (Bangladesh): Almost three months ago, the international community, through this body, expressed its complete rejection of the Israeli policy of constructing illegal settlements in Jebel Abu Ghneim and other parts of the occupied Palestinian territories. It also called upon Israel to immediately and completely stop construction of settlements in Jebel Abu Ghneim in the greater interest of rescuing the stalled Middle East peace process.

We had hoped that Israel would take note of the demand of the international community and try to rectify its policy. Unfortunately, we have been compelled to gather here today in the full knowledge that Israel has not only ignored the call of this body, but has intensified its efforts to build more illegal settlements and make life more difficult for the Palestinians in the occupied territories, including Jerusalem.

On behalf on my delegation, I would like to thank you, Sir, for convening this resumed tenth emergency special session of the General Assembly to consider the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

We would also like to express our gratitude to the Secretary-General for the valuable initiative he has taken to monitor the situation in the occupied Palestinian territory, in particular in Jebel Abu Ghneim, and for the efforts he has made in preparing a comprehensive and useful report depicting the present situation there. The Secretary-General's report has clearly demonstrated that the Israeli authorities have continued their illegal construction works in Jebel Abu Ghneim and other areas and have instituted a new policy to discriminate against the Palestinian residents in Jerusalem. They have also continued to pursue other economically crippling policies without any hesitation with a view to further eroding the capability of the Palestinian people to survive as an independent community. Israel has even blatantly refused to cooperate with the Secretary-General in sending his Special Representative to personally monitor the situation on the ground in Jebel Abu Ghneim and other occupied Palestinian territories. All these actions by Israel contribute to further destroying the element of trust between the Palestinians and the Government of Israel that is the foundation of the Middle East peace process.

The following conclusions can therefore be drawn from the Israeli actions in the occupied territories during the last few months. First, it is now evident that the new Israeli Government is determined to follow a deliberate policy of destroying the peace process with a view to depriving the Palestinian people of any mechanism to pursue their goal of establishing a Palestinian State with Jerusalem as its capital. Secondly, with its continued defiance of the call of the international community, conveyed through the latest resolution of the General Assembly, resolution ES-10/2, Israel has clearly thrown a serious challenge to the international community. The international community must demonstrate courage and determination to take up the challenge. Thirdly, the continued and systematic violation of the fundamental human rights of the Palestinian people under Israeli occupation constitutes a crime against humanity that needs to be dealt with seriously and decisively.

The irony is that the illegal Israeli activities and defiance are being firmly supported by some States and, to our surprise, even some foreign private business companies have recently started providing material and moral assistance to Israeli settlement activities, including the settlement activities in the Jebel Abu Ghneim area. Bangladesh deeply condemns these systematic efforts by the Israeli Government to change the demographic and legal character of Jerusalem and other occupied areas, clearly with a view to influencing the outcome of the final status negotiations. We also strongly deplore the new Israeli policy of destroying the economic infrastructure of the Palestinian community in the occupied Palestinian territories. From its own experience, Israel must know that the aspirations of a nation cannot be suppressed for long, especially since they have recognized the Palestinians as their partner in the peace process.

In order to justify its illegal activities in the occupied Palestinian territories, Israel argues that no mention was made of the principle of land for peace,

either in the Madrid Conference or in the subsequent agreements signed within the Middle East peace process, and it contends that any reference to this principle would only serve to undermine the process. We wonder: If not land, what else could the Palestinians expect from Israel?

The international community understands and has already acknowledged in clear terms that the goal of establishing Palestinian sovereign rights over the entire Palestinian territory remains the core of the Middle East peace process and that the Palestinians have to be given due respect and dignity as well as participation in each and every step of the peace process. Does one need to remind Israel that the growing frustration of the Palestinian people will only feed and fuel the spiral of violence and conflict and eventually plunge the entire area into turmoil?

Israel may have already seen the impact of its policy among the Palestinians. What is urgently required now is the restoration of mutual trust and confidence between the Palestinian people and the Israeli Government if the peace process is to be restored. It must also be recognized that, despite some flaws, the peace process remains the only mechanism that can bring a climate of peace and stability to that area. Progress on the Palestinian-Israeli track of the peace process holds the critical test for the movement on other tracks of the peace process.

Bangladesh's position with regard to the Palestinian issue is well known. We fully support the just and legitimate struggle of the Palestinian people to establish their homeland with Jerusalem as its capital. This was reiterated by our Prime Minister Sheikh Hasina just a few days ago, when she said that Bangladesh would always stand by its Palestinian brothers in their struggle for a homeland. Similarly, on 7 July, the Bangladesh Parliament adopted a unanimous resolution condemning illegal Israeli settlement activities in the occupied territories, in particular in Jebel Abu Ghneim, and expressed its full support for the legitimate struggle of the Palestinian people. We believe that the creation of any obstacles to this process will only generate a climate of hatred and that everyone in that area will have to pay the price for it.

Mr. Turnquest (Bahamas), Vice-President, took the Chair.

The international community bears a solemn responsibility to see that the Middle East peace process is not jeopardized and that the rights of the Palestinian people are not trampled under the provocative and irresponsible actions of the new Israeli Government. Bangladesh therefore calls upon the General Assembly to forcefully pronounce itself once again against the unilateral decisions of Israel with regard to illegal settlements and to recommend some concrete measures to hold Israel responsible for the consequences that might arise out of its arrogant policies. Having shared the views contained in the draft resolution before this Assembly, Bangladesh has decided to join other delegations in cosponsoring and strongly supporting the draft resolution. We would also like to call upon all members to extend their support to the same.

Mr. Samhan (United Arab Emirates) (*interpretation from Arabic*): On behalf of the State of the United Arab Emirates, it is my pleasure to express our sincere thanks and appreciation to the Secretary-General for his valuable report. It contains important facts that clearly illustrate Israel's violations of and refusal to comply with resolutions of international legitimacy in their legal, humanitarian and ethical substance, particularly given that, as the report demonstrates, the Israeli Government has, over the past six months, expropriated more than 30,000 dunum of Palestinian land in the West Bank.

Israel has undertaken the expansion of settlements in more than 30 separate areas. It is continuing to demolish Arab homes and to confiscate important parcels of land in East Jerusalem. It is continuing also to confiscate the identification cards of its Arab citizens, thereby denying them their right to residence, health care, freedom of movement and education. This is paving the way for Israel to uproot them from their land and replace them with more than 50,000 Israeli settlers. This would be the gravest forcible change to date in the demographic, legal and religious status of this sacred Arab city. Furthermore, it represents a flagrant challenge to the will of the international community and threatens peace and security both regionally and internationally.

The resumption of this emergency special session of the General Assembly to review the non-compliance by Israel with resolution ES-10/2, which calls for the immediate and full cessation of all settlement-building activities in Jebel Abu Ghneim and of all other illegal measures and actions in East Jerusalem and other Arab and Palestinian occupied territories, reflects the concern of the international community at the grave consequences of such an intransigent Israeli position. This non-compliance is a flagrant violation of a series of Israeli-Palestinian peace accords and of the resolutions of the international community on the subject — indeed, it is a declared abrogation by the Israeli Government of all its

legal and ethical commitments to the peace process as a whole.

Although the Security Council and the General Assembly have repeatedly stressed the applicability of the fourth Geneva Convention of 1949 to all Arab and Palestinian lands occupied by Israel since 1967, and although they both have demanded that the Israeli occupying authorities unconditionally cease all settlement activities aimed at changing the demographic and legal status of these lands, and in particular of the centre of the city of Jerusalem, those authorities persist in their non-compliance with all of these commitments. They have continued illegally to build settlements in Jebel Abu Ghneim and in other Arab and Palestinian territories. Furthermore, they are persisting in their policy of closure and of harassing and starving Palestinian citizens, as well as preventing their movement and the movement of their goods to and from the Palestinian Authority area.

The Israeli authorities continue to inflict the most heinous forms of collective punishment and torture on Palestinian detainees. The policy of the "iron fist" against the "children of the stones", who have rejected occupation and all such repressive practices, continues. The Israeli authorities have taken part in encouraging the escalating extremism against Arabs and Muslims. They have encouraged the denigration of their values and have attempted to distort Islamic beliefs, including through continuing attacks against the media and journalists to prevent the latter from uncovering the facts on the ground and informing the international community.

These violations on the part of the Israeli Government, in addition to its attempts to impose restrictions on international envoys charged with investigating its practices, and its continuing rejection of all efforts and initiatives undertaken by certain States — in particular the political leadership of the sister Republic of Egypt — represent an attempt to avoid implementing its commitments. This must compel the international community squarely to place upon Israel's shoulders full and direct responsibility for the grave consequences of such acts, which will undoubtedly plunge the region back into the cycle of war, violence, tension and instability.

The United Arab Emirates, which holds peace dear — a peace that is just, lasting and comprehensive and is based on the Madrid formula of land for peace and on internationally binding resolutions, particularly Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), dealing with the question of Palestine and, more generally, with the problem of the Middle East — expresses its regret and disappointment and denounces the current Israeli Government's policy of reversal. This is a source of provocation not only for the Palestinian people but for all peace-loving peoples in the world. The United Arab Emirates therefore renews its condemnation of all of these Israeli policies and unjustified violations, which run counter to the most basic principles of human rights and international law.

We call on the international community, and in particular the United Nations, which remains the most appropriate forum for dealing with the question of Palestine, to shoulder its legal, political and historical responsibilities, all of which are enshrined in its resolutions and the principles of its Charter, and to reject double standards. Let the international community bring maximum pressure to bear, particularly through the two sponsors of the peace process, to compel the Israeli Government seriously to comply with its commitments and implement all the agreements it has reached within the framework of the peace accords. First and foremost, Israel must immediately put an end to its colonial settlement policies and to its policy of closure. The restrictions imposed on the Palestinian people must be lifted in order to improve the difficult economic and social conditions, which have deteriorated since the signing of the peace agreements.

Israel must enter unconditionally into negotiations on the final status to resolve other issues related to the question of Palestine, such as settlements, Jerusalem, refugees and borders. Such issues cannot be resolved unilaterally. Actions taken by the Israeli Government alone are illegitimate. We reaffirm that the Palestinian people, like any other people in the world, have the right to their freedom and dignity. They must be enabled to enjoy their inalienable right to self-determination and to establish an independent state on their territory, with Jerusalem as its capital. This requires that the Israeli occupying authorities face the legal and political facts.

Furthermore, negotiations on the Syrian and Lebanese tracks must be accelerated in order to achieve a just and durable solution that meets the expectations and aspirations of the peoples of the region to a better life.

Before concluding, I should like to thank the President and express my appreciation to him for reconvening this emergency special session.

Mr. Allagany (Saudi Arabia) *(interpretation from Arabic):* At the outset I should like to extend my delegation's thanks and appreciation for the resumption of the tenth emergency special session of the General Assembly, which was convened pursuant to resolution 377 A (V) of 1950, entitled "Uniting for peace".

In this regard, I should like to pay a special tribute to the Secretary-General, Mr. Kofi Annan, for the special efforts he has undertaken to monitor the situation in the city of Al-Quds al-Sharif and for his valuable report (A/ES-10/6) submitted pursuant to resolution ES-10/2 adopted on 25 April 1997 relating to illegal Israeli actions in occupied East Jerusalem and other occupied Palestinian territory.

We have before us the report of the Secretary-General dated 26 June 1997. In the report, the Secretary-General stated:

> "According to the information available to the United Nations, the Government of Israel, as of 20 June 1997, has not abandoned its construction of a new Israeli settlement at Jebel Abu Ghneim. Settlement activity, including the expansion of existing settlements, the construction of bypass roads, the confiscation of lands adjacent to settlements and related activities in violation of Security Council resolutions on the matter, continued unabated throughout the occupied territories." *(A/ES-10/6, para. 15)*

This is the fait accompli that the Israeli authorities are attempting to impose, not only on the Palestinians, not only on Arabs and Muslims, but on the entire international community, riding roughshod over the resolutions of international legitimacy.

Allow me here to refer to resolution 5629 of the Council of the League of Arab States, dated 31 March 1997, entitled "The Arab-Israeli conflict and the derailment by Israel of the current peace process" wherein the Council recommended suspension of Arab participation in the multilateral negotiations, continued commitment to the Arab boycott of Israel and the activation thereof until the establishment of a just and comprehensive peace in the area and until Israel complies with the terms of reference of the Madrid Conference and the principle of land for peace and implements the undertakings, commitments and agreements attained by the parties concerned on all tracks during the peace talks. The Arab States took this step proceeding from their commitment to the establishment of a just and comprehensive peace in the area and out of their desire to salvage the peace process.

Israel's refusal to abandon the construction of a new settlement at Jebel Abu Ghneim in the city of Al-Quds al-Sharif is considered a very serious step and the most negative factor leading to the collapse of the peace process. It also clearly constitutes implementation by the present Israeli Government of its programme declared when it took office. Its political programme provided for strengthening settler colonialist activities and developing and expanding those activities to further accommodate new immigrants and endorsed the forceful use of the army and the security apparatus. The political programme of the Netanyahu Government continues the well-known "four noes": no return to the borders of 4 June 1967, no withdrawal from the Syrian Golan, no discussion of Jerusalem since it is not on the table, and no establishment of an independent Palestinian State.
We see in the political programme of the Netanyahu Government clear extremism against the peace process.

Let us now recall Mr. Netanyahu's statement before the Israeli Knesset regarding settler colonialism and the security of Israel. Here I quote: Zionism is not dead, although some circles place it between quotes; we have wonderful youth awaiting mobilization to undertake national tasks. We will encourage that spirit as we will encourage the building of pioneering settlements in Eretz Israel, in the Negev, Galilee, Judea and Samaria and in the Golan. The settlers of today are the true pioneers and deserve support and appreciation. End of quote.

The establishment of a new Israeli settlement at Jebel Abu Ghneim since the freeze imposed on those activities by the former Israeli Government in the context of the peace process simply means the undermining of the terms of reference of the peace process, the imposition of a new fait accompli which is totally alien to those terms of reference and the abrogation of the prospect of establishing a Palestinian State with East Jerusalem as its capital.

The Israeli authorities are planning to transfer 50,000 Jewish settlers from Israel to this Arab area of occupied East Jerusalem, which will further change the demographic character of the city.

The Israeli authorities have taken further arbitrary actions by confiscating thousands of identity cards of the Arab inhabitants of Jerusalem and cancelling those of hundreds of indigenous Arab inhabitants of Al-Quds

whom it considers resident immigrants. These recent practices threaten between sixty thousand and eighty thousand Palestinians in Al-Quds al-Sharif.

Despite the fact that the Security Council, at its 3747th meeting, on 7 March 1997, failed in its basic responsibility to maintain international peace and security, the international community displayed a strong will by convening the emergency special session of the General Assembly and the adoption of the resolution of 25 April 1997, with 134 of the 185 States Members of the United Nations voting in favour.

The European Union in its communiqué of 28 February 1997 expressed denunciation by the States of the Union of the decision by the Israeli Government to build a new settlement at Jebel Abu Ghneim. It considered East Jerusalem subject to the principles indicated in Security Council resolution 242 (1967) — that it is not subject to Israeli sovereignty but is subject fully to the provisions of the Fourth Geneva Convention, which is also applicable to the other territories under occupation.

Faced with this overwhelming international support for the peace process in the Middle East and the clear international affirmation of the illegality of Israeli practices in the occupied Arab territories, including the city of Al-Quds al-Sharif, the Israeli authorities proceed with their settler colonialist programmes, which contravene the letter and spirit of the United Nations Charter and the resolutions of the General Assembly and the Security Council.

Is it not high time the international community took deterrent steps, as is done in connection with other States and other regions?

The report of the Secretary-General before us states clearly that the restrictions imposed by the Israeli Government on the scope of the international mission to Jerusalem, proposed pursuant to General Assembly resolution ES-10/2 of 25 April 1997, are unacceptable to the United Nations and that the construction of the Jebel Abu Ghneim settlement is seen as a final step towards isolating Jerusalem from the rest of the West Bank and as a part of the declared policy of the Israeli Government for the full incorporation of Jerusalem, which it describes as part of the "unified eternal capital of the State of Israel". The Netanyahu plan flouts Security Council resolution 242 (1967), which is the basis of the peace process in the Middle East.

The Israeli representative referred to several "no's" in his statement. We, in turn, can cite other "no's". For example, has Israel abandoned the practice of confiscating Palestinian lands? No. Has Israel stopped demolishing Palestinian dwellings on the flimsiest of pretexts? No. Has it stopped expanding the settlements in the West Bank? No. Does Israel plan to return to the terms of the Madrid and Oslo accords? No. It would be very easy to cite even more "no's", but we shall confine ourselves to the "no's" contained in the Secretary-General's report so as not to waste the time of representatives.

While we are interested in the continuation of the peace process on all Arab tracks and in salvaging the peace process, we feel that Jerusalem is the crux of the question of Palestine and the key to war and peace in the region, and that there will be no real peace without the return of Jerusalem, the first of the two kiblahs and the third holy sanctuary, to its original inhabitants.

The Kingdom of Saudi Arabia has spared no effort with its Arab brethren to bring the Madrid Peace Conference to fruition. However, peace in the Middle East is conditioned on justice and balance. It requires honesty and goodwill in negotiating, and this is what the current Israeli Government lacks.

While calling upon the sponsors of the peace process — the United States of America and the Russian Federation — to seek genuinely to deter the Israeli Government from illegal actions in occupied East Jerusalem and the rest of the occupied Palestinian territory, we also call upon the international community, represented by the States Members of this international Organization, to stand united and to consolidate the foundations of peace in the Middle East, because peace there is part and parcel of peace in the world at large. Thus can the Member States prove that the reform process in this international Organization is based fundamentally on the establishment of balance in international relations and not on double standards in dealing with aggressors and victims. In this way can the foundations of peace, justice and stability be established in that part of the world.

Mr. Effendi (Indonesia): At the outset, the delegation of Indonesia would like to express its deep appreciation to the Secretary-General of the United Nations for the much anticipated report (A/ES-10/6) before the Assembly today, submitted pursuant to resolution ES-10/2. My delegation is cognizant of the

tortuous process of the report's preparation and is therefore grateful for its timely submission.

The report of the Secretary-General is indeed invaluable in providing further documentation of the well-known catalogue of illegal Israeli practices in the occupied territories, especially with regard to Jerusalem. Above all, it confirms that two months after the resounding adoption of resolution ES-10/2 by the historic tenth emergency special session of the General Assembly, Israel persists in constructing its settlement at Jebel Abu Ghneim. The international community must respond to this basic and unacceptable fact.

The report of the Secretary-General is unambiguous in recognizing the seriousness of the Israeli activities at Jebel Abu Ghneim, and it is worth reiterating. Politically, they represent the first move to construct a completely new settlement on occupied Palestinian territory since the freeze imposed by the previous Israeli Government. Thus, they prejudice the final status negotiations, which would determine the issue of Jerusalem and borders. Geographically, the settlement at Jebel Abu Ghneim constitutes the final link in a chain of Israeli-constructed settlements around occupied East Jerusalem. It is therefore a final step towards the isolation of Jerusalem from the rest of the West Bank and represents part of the Israeli policy of fully incorporating East Jerusalem into the "unified eternal capital of the State of Israel". Demographically, the settlement would advance the forced alteration of East Jerusalem's religious and ethnic composition. Economically, the establishment of the settlement would further worsen the already devastated Palestinian economy. Finally, it impedes the peace process and foments unrest in the occupied territories.

Not only has Israel failed to cease its construction activities at Jebel Abu Ghneim, but it has also continued settlement-expansion activities at numerous locations in the West Bank and the Gaza Strip. The commencement of new settlements, the expansion of existing ones, the building of roads and other auxiliary sites adjacent to and between settlements and the issuance of plans for the creation of new settler housing units — all these acts of impudence serve as a poignant reminder of Israel's utter disregard of General Assembly and Security Council resolutions, as well as of agreements already reached with the Palestinians.

The delegation of Indonesia finds the disclosure about external support for settlements, including through private support from foreign companies and individuals, to be disquieting. It is also unacceptable that Israel continues to reject the *de jure* applicability of the Fourth Geneva Convention of 1949 to all territories occupied since 1967. There is clearly an urgent need to further address these issues. Furthermore, my delegation cannot fail to deplore the sinister Israeli practice, disguised as administrative in nature, which has seriously affected the rights and status of thousands of Palestinian Jerusalemites. The report of the Secretary-General is quite clear in identifying the practical consequences of the Israeli revocation of residency rights and confiscation of Jerusalem identity cards: they have made it impossible for Palestinian Jerusalemites to live in Jerusalem, and often even to enter it, and they result in the loss of rights to housing, health care, school access and freedom of movement into and around Jerusalem.

Through its actions Israel has single-handedly paralysed the peace process, a process which promised to bring to an end the age-old distrust and conflict which have long permeated the Middle East, a process which offered peace, justice and prosperity to the long-suffering peoples of that region. In recent weeks, day after day, the international community has been witnessing scenes of violence in the occupied Palestinian territory, representing a seemingly inexplicable spiral towards crisis and stalemate. Hundreds of Palestinians have been wounded, and, indeed, deaths have been reported.

The much-heralded signing of the Hebron Protocol earlier this year has thus far not been the precursor to negotiations on other contentious issues, including Jerusalem. On the contrary, Hebron itself has turned into a virtual battleground as Israeli forces have imposed their might on protesting Palestinians.

Member States of the United Nations cannot remain indifferent and passive to the Israeli onslaught against the peace process. We have a vital stake in ensuring that the Middle East region does not relapse into a flash point of crisis fraught with far-reaching consequences. We have an obligation to ensure that a new order of peace, justice and prosperity takes root in the Middle East. For this to materialize, Israel must observe fully the agreements already reached and negotiate in good faith with the Palestinians on the remaining key issues and on the basis of a recognition of the right of the Palestinians to an independent State with Al-Quds al-Sharif as their capital.

It is in this spirit that our Assembly must act to protect the peace process from those determined to derail it and to ensure that the peace process moves forward and becomes irreversible.

Mr. Al-Saeid (Kuwait) (*interpretation from Arabic*): At the outset, allow me to express sincere thanks and appreciation to the President for reconvening the tenth emergency special session of the General Assembly under the slogan "uniting for peace" to continue debating illegal Israeli actions in East Jerusalem and the rest of the occupied Palestinian territory.

I would also like to express my sincere thanks to the Secretary-General for his valuable report contained in document A/ES-10/6. The report showed in a clear-cut manner how grave the situation is in the occupied lands because Israeli authorities have not ceased the building of a settlement at Jebel Abu Ghneim in occupied East Jerusalem. This is a direct threat to the peace process in the Middle East region.

The report of the Secretary-General, with the most regrettable facts and information it includes, is a call to the Member States of the United Nations to shoulder their responsibilities to take the necessary measures to ensure that the peace process in the Middle East will continue. The report affirms that the unacceptable obstacles placed by the Israeli Government to the visit of the Special Envoy of the Secretary-General to the region have prevented the visit in implementation of the mandate of the General Assembly.

The report also states that the Israeli Government did not abandon the building of a settlement at Jebel Abu Ghneim. The settlement activities, including the expansion of existing settlements, continue. Access roads are being built and the confiscation of land abutting the settlements continues unabated.

The report also states that during the same period the Government of Israel implemented many legal and administrative measures which directly affect the rights of Palestinian citizens in Al-Quds al-Sharif as part of its special policy to Judaize Al-Quds and change its Arab character.

The State of Kuwait, faced with the grave facts in the report of the Secretary-General, reaffirms anew that the international community must support the peace process in the Middle East. This requires the following.

First is to demand that Israel cease forthwith building a settlement at Jebel Abu Ghneim in occupied East Jerusalem, as well as all other Israeli settlement activities. It must also cease all illegal measures and administrative decisions in occupied Jerusalem and all the occupied territories.

Second is to reaffirm that the legislative and administrative measures undertaken by Israel — the occupying Power — aimed at changing the legal and demographic character are null and void.

Third is to demand that Israel accept the applicability of the Fourth Geneva Convention to all land occupied since 1967 and to demand that Israel abide by the relevant Security Council resolutions, in accordance to article XXV of the Charter of the United Nations.

Fourth is to reaffirm the need to implement fully the agreements reached between the parties in the peace process in the Middle East in order to revitalize the process on all its tracks according to the principles on which it was based. More specifically, this includes implementing Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace.

In conclusion, my delegation reaffirms the need for the Member States of the United Nations to shoulder their responsibility in a spirit of righteousness. The Israeli Government must heed the calls of the international community in order that we may save what remains of the peace process in the Middle East so that it may reach safe harbour.

Mr. Kamal (Pakistan): It is most unfortunate that the General Assembly is meeting once again to consider the alarming developments in the occupied Arab territories. It is with a sense of profound disappointment for Pakistan that despite the overwhelming rejection of the general membership Israel has persisted with its condemnable violation of international norms and treaties, as well as the Fourth Geneva Convention of 1949. It has completely disregarded the provisions of General Assembly resolution ES-10/2. The unilateral actions undertaken by Israel have been against the aspirations and inalienable rights of the Palestinian people.

Pakistan would like to take this opportunity once again to condemn strongly all these actions and policies. These policies constitute an unacceptable violation of the Hague Regulations of 1907, the Fourth Geneva Convention of 1949, the relevant resolutions of the United Nations Security Council and General Assembly and the Declaration of Principles, as well as the

subsequent agreements and accords concluded between the Palestinians and the Israelis.

Israel's rejection of the principles laid down in the Madrid peace process has not only seriously jeopardized the peace process, but has also shattered the expectation of the international community for the early exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland.

Pakistan has steadfastly supported the just struggle for the inalienable rights of the Palestinian people. We have consistently stated that Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) continue to provide a viable and just framework for a durable and comprehensive peace in the Middle East. The Government and people of Pakistan believe that Al-Quds al-Sharif, occupied by Israel since 1967, is the core issue of the Arab-Israeli conflict. It remains central to any comprehensive settlement, and no lasting peace in the region will be possible without the return of Al-Quds and all occupied territories to the Palestinian people.

It is most unfortunate that the situation in Al-Quds has continued to undergo a marked deterioration. Israel's decision to build new settlements in Jebel Abu Ghneim has dealt a serious blow to the peace process. The Government of Pakistan views these developments with deep concern and calls upon the international community to counter the attempt by Israel to annex Al-Quds illegally by changing its demographic character.

The recent blasphemous acts committed by the Jewish settlers in Al-Khalil — Hebron — have caused tremendous agony and anger in the Muslim world, both inside and outside the occupied territories. The Government and people of Pakistan would like to reiterate their serious concern over these condemnable and reprehensible acts and hope that saner elements all over the world will prevent their recurrence.

The international community must take effective measures to neutralize the atmosphere of conflict and war now prevailing in the Middle East region. Pakistan strongly urges that the provisions of the agreements and accords concluded between the Palestinians and Israel must be sincerely complied with both in letter and in spirit. The Israeli leadership must concede to the realities on the ground and resolve all pending issues with the Palestinian National Authority, including the immediate reversal of its alarming actions.

The draft resolution before the Assembly today embodies the measures which must be taken by the Israeli authorities in order to restore mutual trust and understanding between the two parties. Pakistan fully supports these measures. We are a sponsor of the draft resolution and earnestly hope that all Member States will support its adoption without a vote.

Mr. Hasmy (Malaysia): Eighty-two days ago the General Assembly, for the first time in 15 years, held an emergency special session, to deliberate an agenda item after the Security Council had failed to pronounce itself on that same item: on Israel's decision to build a new Jewish settlement in East Jerusalem. The Assembly, by an overwhelming majority, adopted resolution ES-10/2 condemning the construction by Israel of a new settlement in Jebel Abu Ghneim and specifically demanding the cessation of settlement activities by Israel. The resolution also requested the Secretary-General to monitor the situation and to submit a report on the implementation of the resolution, and especially on the cessation of the construction of the new settlement in Jebel Abu Ghneim and all other illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

In order to comply with the resolution's request, the Secretary-General had proposed to dispatch a Special Envoy to the area. Unfortunately, the proposed visit was thwarted by Israel, which chose to impose unnecessary conditions and restrictions on the scope of the visit. As a result, the Secretary-General had no other recourse but to depend on reliable sources in preparing his report. In spite of these constraints, however, the Secretary-General must be commended for his balanced and fair report regarding the situation on the ground in occupied East Jerusalem and the rest of the occupied Palestinian territory. My delegation would also like to commend the Secretary-General for his great patience in making every effort and exhausting all means to facilitate the dispatch of the Special Envoy in order to apprise member States accurately of the facts on the ground.

Israel's decision to impose those restrictions and conditions was intended to ensure that the visit would not take place at all. This attitude of non-cooperation on the part of the Israeli Government is, unfortunately, predictable, as it had repeatedly in the past refused to allow the Special Rapporteur on human rights to visit the occupied Palestinian territories to investigate Israeli practices. This act of obstructing the implementation of resolution ES-10/2 shows Israel's blatant disregard, yet

again, for the collective wish of the international community, and it ought to be condemned. My delegation condemns this act of obstruction unreservedly.

The Israeli action of obstructing the efforts of the Secretary-General and Mr. Netanyahu's rejection of all assurances and commitments made regarding the peace process clearly speak of the Likud Government's duplicity and high-handed ways to systematically demolish the basis of the peace process. Such a defiant attitude vis-à-vis the international community must be responded to in clear, unambiguous terms.

Israel's failure to comply with the demand of the resolution serves to confirm its insincerity and bad faith in seriously working for a political settlement, and belies its professed desire for long-term peace and stability in the region. My delegation considers it most regrettable that the Arafat-Rabin accord, which was an important first step and a historic breakthrough in the quest for permanent peace in the region, is now in tatters. The responsibility for this dismal state of affairs lies squarely with Israel, which must assume equal responsibility for current and future tensions in the region. Clearly, the virtual breakdown in the peace process is a result of the present Israeli Government's policy of continuing with the dismantling of Arab dwellings to make way for those meant for Jews. This policy, which is strongly advocated by none other than Mr. Netanyahu himself, has been strongly criticized or condemned by the whole world, including its principal ally. Yet the Likud-led regime has gone ahead in open defiance of the will of the international community, including that of its friends and supporters.

Israel must realize that the threat it perceives is mostly a result of its own policies and actions. This is as true now as it was in 1949. It must learn to reject violence, extremism and terrorism as a solution to its so-called security problems. Aggressive and provocative actions which instil hatred between peoples are not ways to seek solutions to problems. Israel must eschew aggressive policies and actions and learn to adopt policies designed to prosper rather than beggar its neighbours. Israeli Jews cannot flourish or prosper at the expense of their Arab neighbours by stripping rightful owners of their rights and lands. The security of Israel can best be guaranteed not by perpetrating gross injustices on the Arab people but by pursuing a policy of good-neighbourliness. Israel must have the courage to go beyond the confines of its self-centred and cloistered notion of security and its so-called military logic and instead build an effective partnership with its Palestinian and other neighbours.

Through Israel's policies, the mutual confidence that had been generated following the Madrid accords has begun to crumble. Suspicion and distrust have replaced confidence and the spirit of cooperation. Arrests, bloodshed and deaths of Palestinians have replaced serious negotiations in the wake of Israel's unilateral decision to proceed with the construction of the new settlement in Jebel Abu Ghneim.

Israel's continued construction of the Jewish settlement in Jebel Abu Ghneim, in total disregard of the demand of resolution ES-10/2, has very far-reaching consequences. The intention clearly is to influence the final status negotiations in which the issues of Jerusalem and borders are to be decided. The settlement in Jebel Abu Ghneim will complete the process of encircling East Jerusalem with Jewish settlements. With the further injection of Jewish immigrants in the new settlement area, the religious and ethnic composition of East Jerusalem would be significantly altered. Israel's ultimate motive is obvious and cannot be further camouflaged. It is to strengthen its negotiating position in the final status talks on Jerusalem while weakening that of the Palestine Liberation Organization. The international community should not allow itself to be hoodwinked by this cynical move to bolster the Israeli position at the expense of the Palestinians.

At the same time, while the focus of the international community is now on Jebel Abu Ghneim, Israel quietly continues to expand existing settlements in the West Bank and Gaza Strip. Palestinian lands are continually expropriated to meet the needs of expansion activities and to make possible the construction or widening of roads linking settlements with Israel. Along with the policy of closure, land confiscation, the forced demolition of houses in the occupied Palestinian territory, the detention of Palestinians without charge or trial and scores of other practices, these activities will surely lead to increased distrust, which in turn will further complicate whatever remains of the peace process.

In his report dated 26 June 1997, the Secretary-General pointed out that foreign private companies and individuals were also lending support to settlements and their economic infrastructures. Their direct or indirect involvement with the activities of Israel in the occupied Palestinian territory must stop immediately. My delegation calls on the international community to strongly censure these intolerable activities, which must cease forthwith.

Israel's systematic approach in judaizing the Palestinian sector of East Jerusalem has continued unabated. In a new twist, Israel has implemented measures to alter the character, legal status and demographic composition of Jerusalem. Administrative measures have been adopted to invalidate the residency rights of Palestinian Jerusalemites and their identity cards have been confiscated. As a result, they will lose rights to housing, health care and freedom of movement into and around Jerusalem. These measures are clearly intended to reduce the number of Arab residents in Jerusalem, thereby altering its demographic character in favour of Jews.

My delegation would strongly urge Israel, a Member State of this Organization, to fully understand the importance of keeping its promises and honouring treaties and agreements it has solemnly entered into. We would urge it to heed the voice of this Assembly, the highest forum in the international system, and respect, at least for once, the expressed will of the international community. My delegation would also urge members of the international community, particularly those with close ties and influence with Israel, to counsel the Israeli Government to act responsibly and wisely and to steadfastly stay the course of the peace process, as well as to advance the course of regional reconciliation that we all desire.

The international community should not countenance or condone provocative and aggressive policies and actions of the kind pursued by the Netanyahu Government, nor should the latter be allowed to ignore the expressed will of the international community with impunity, which will be the case if the adoption of this resolution by this Assembly is merely a passage without any serious follow-up action. For this to happen yet again would be a mockery of this Assembly and of the United Nations as a whole, for which we must all be accountable.

To this end, therefore, my delegation calls for the full implementation of this resolution, including the early convening by the High Contracting Parties to the Fourth Geneva Convention of a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem. Otherwise, the convening of this Assembly in its emergency special session would be no more than a mere ritualistic condemnation of Israel which, as in the past, it may well choose to ignore yet again. That would indeed be a pity and a sad reflection of the work of this Assembly. It would only encourage Israel to persist in its intransigent position, which surely is not the expected outcome of this important meeting today.

Mr. Jeludin (Brunei Darussalam): In April this year, we adopted resolution ES-10/2 on this agenda item. This resolution clearly stated the position of the international community and, following its successful adoption in the General Assembly, we had hoped for an immediate and full cessation of the construction of settlements in Jebel Abu Ghneim by the Israeli Government. Today, however, we are here again to discuss the same issue.

As one of the sponsors of the resolution, Brunei Darussalam stands firm on its position on this issue. We support the proposed active role of the Secretary-General of the United Nations in the follow-up to this resolution and the requirement for him to present a comprehensive report to the General Assembly on the outcome of his visit to the occupied territories, in accordance with paragraph 9 of the said resolution.

In this regard, the decision of the Israeli Government to impose restrictions on the scope of the Secretary-General's Special Envoy's proposed mission to the occupied territory is unacceptable to Brunei Darussalam. It is a position that is not in compliance with the provisions of the Charter of the United Nations and such action is not consistent with the normal response of the international community to a United Nations resolution. This action has further demonstrated to all of us here the unwillingness of the Israeli Government to achieve a comprehensive and lasting solution to the Middle East peace process and this is deeply regretted.

Over the past months, we have heard continuous claims by the Israeli Government that the construction of settlements at Jebel Abu Ghneim did not violate the agreements between the Palestinians and the Israelis. However, it is only through negotiations between the two involved parties that the final status of Jerusalem can be determined.

In view of this, Brunei Darussalam is deeply concerned when the Secretary-General reports that, as of 20 June 1997, the construction of new settlements at Jebel Abu Ghneim was still proceeding, together with related activities which violate international law and the Security Council's resolutions.

Indeed, Israel's refusal to abandon such construction represents the largest single negative factor in the breakdown of the peace process and the fomenting of arrests in the occupied territories. Brunei Darussalam considers that such construction will further isolate

Jerusalem from the rest of the West Bank. Furthermore, the stated policy of the Israelis to fully incorporate East Jerusalem as part of the unified "eternal capital" of the State of Israel will close the door on what the Palestinians unanimously expect to be the future capital of a Palestinian State: East Jerusalem. This is also unacceptable to Brunei Darussalam.

A solution to the issue will not be found through violence and continued policies of oppression that deprive the Palestinian people of their rights. To this end, once again we call upon the Israeli Government to accept the *de jure* applicability of the Geneva Convention of 1949 to all territories occupied since 1967 and to comply with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), as well as relevant resolutions of the General Assembly. We therefore urge the Israeli Government to agree to the terms of the resolution in full.

In conclusion, my delegation would like to reiterate Brunei Darussalam's strong commitment to, unwavering support for and solidarity with the Palestinian people in their struggle for a just and lasting peace and an independent State of Palestine.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): Allow me at the outset to thank the President for resuming the tenth emergency special session of the General Assembly and to convey my country's gratitude to the Secretary-General for his important report, contained in document AS/ES-10/6. I would also like to express our appreciation to the Member States that supported the Arab request to resume this session, thus affirming the interest of the United Nations and its Members in consecrating a just and comprehensive peace in the Middle East.

This is the fifth time that the question of the settlements in Jebel Abu Ghneim has come before the United Nations and its third before the General Assembly. This has occurred for one important reason: Israel's refusal to heed the will of the international community, as expressed in General Assembly resolution ES-10/2, which calls on it to cease construction of the settlements. Another, equally important reason is the fact that the Secretary-General was unable to dispatch his Special Envoy in implementation of the aforementioned resolution.

On the other hand, the Secretary-General's report before us details the correspondence between him and the Israeli Government regarding the dispatch of the Special Envoy. As a result of a number of pretexts invoked by the Israeli authorities regarding the Envoy's mandate, the Secretary-General was ultimately unable to send him and was compelled in writing his report to rely on the information available to him and to his assistants. Yet the report clearly concluded that the Israeli Government has so far not abandoned the construction of the Jebel Abu Ghneim settlement, in spite of the repeated appeals addressed to it from this rostrum and of the two relevant resolutions of the General Assembly.

Against this background, we were not surprised by the statement contained in the report of the Secretary-General regarding Israel's continual intransigence in disregarding United Nations resolutions. Israel's continued colonial settlement activities in general, and its construction of the new settlement at Jebel Abu Ghneim in particular, represents a refusal on the part of its current Government to proceed with the Middle East peace process begun with the Palestinian Authority by the previous Israeli Government. This has brought the process to an impasse and jeopardized its fate, not to mention the adverse consequences resulting from the stalled talks.

In this regard, we call on the United Nations to salvage the peace process, endorsed by the General Assembly in its previous resolutions, by standing up to the Israeli settlement activities in the occupied territories and forcefully confronting Israel's intransigence, which threatens to detail the entire Middle East peace process.

The establishment of the United Nations was a positive initiative aimed at achieving peace and security for Member States and their peoples and at preserving the rights of those States and peoples to a prosperous and secure future under the auspices of this international Organization. In this regard, the Palestinian people, who for years have been under the yoke of Israeli occupation, look forward to the day when the United Nations will put an end to their prolonged tragedy, freeing them from the oppression of the Israeli occupier, which continues to seek to disperse them and deprive them of their right to self-determination and their right to establish an independent state, in accordance with the Charter of the United Nations itself.

We know that the States Members of our Organization have rights, but they also have duties to the Organization. If these are not fulfilled, the Organization cannot carry out its obligations to those States. Yet the Israeli Government has consistently failed to fulfil those duties, violating United Nations resolutions — the most recent of which was adopted by the General Assembly at

its tenth emergency special session, resumed today — and shirking their implementation by various means, which represents a rejection of the will of the international community.

My delegation affirms the obligation of the High Contracting Parties to the Fourth Geneva Convention to ensure respect for the provisions of that Convention. It also calls on Israel, the occupying authority, to respect the provisions of the Convention and to apply them on the occupied Palestinian territories. On that basis, my delegation supports the request to convene a conference of the High Contracting Parties to the Convention, in order to establish clear criteria for affirming the applicability of the Convention to the occupied Palestinian territories, including Jerusalem.

Finally, my delegation would like to emphasize the importance of the General Assembly's putting an end to Israel's settlement activities. It also urges it to seek to prevent Israel from pursuing its expansionist policies in the occupied territories, in view of the resulting threat to the Middle East peace process. My delegation therefore calls for the adoption of the draft resolution before us in order to prevent Israel from pursuing its colonial settlement activities in the occupied Palestinian territories and to contribute to the promotion of the peace process.

Mr. De Silva (Sri Lanka): Since we met this past April, the situation in the occupied Palestinian and other Arab territories has deteriorated further, with Israel continuing its illegal settlement policy unabated, with scant respect for international opinion. Israel is carrying on with its construction of new settlements, disregarding the Assembly's call for a halt to such activity. It is with disquiet and disappointment that we note the continuation of this illegal action by a Member of this Organization, flouting international law and rejecting the will of the General Assembly. The report of the Secretary-General contained in document A/ES-10/6 is ample testimony to the seriousness of the situation. This situation is also seen as a move by Israel to pre-empt the determination of the rights of the Palestinian people to land that legitimately belongs to them, in defiance of international law.

We are deeply concerned that a continuation of this settlement policy will without a doubt significantly affect the political and demographic aspects of the occupied territory. Politically it is detrimental to the progress of the peace process and to negotiations on the future status of East Jerusalem. It is of utmost importance that Israel abandon this unlawful and ill-advised policy of new settlements, which will inevitably result in adverse consequences for the Palestinian people. Therefore we urge Israel to halt the construction of new settlements in this area and to cooperate with the Secretary-General to enable him to carry out the mandate given him by this Assembly.

With regard to dispatch of an envoy by the Secretary-General, we note that that step was well within the general authority conferred on the Secretary-General and was essential for the proper and effective performance of the mandate issued to him. If Israel respects the will of the General Assembly, its first obligation is to cease the construction of new settlements forthwith and not seek refuge in technicalities.

We urge all parties concerned to continue the peace process they have embarked upon. The convening of an emergency special session was not an attempt to bypass the peace process or make it redundant. On the contrary, it is to support the peace process — to get it back on track and to prevail upon Israel to abandon a policy that has derailed the peace negotiations.

The question of Palestine has been and will remain of deep concern to the international community until a lasting solution is reached. A discussion in the Assembly of matters affecting the occupied territories cannot plainly be described as an improper attempt to internationalize a situation which is of domestic concern. It has been and remains a situation which constitutes one of the gravest threats to international peace and security and which needs to be addressed with a seriousness of purpose if the United Nations is to have any degree of credibility.

I should like to reiterate Sri Lanka's support for the peace process and for the realization of the inalienable rights of the Palestinian people.

Mr. Abdellah (Tunisia) (*interpretation from Arabic*): The General Assembly is reconvening in the framework of the tenth emergency special session to continue its consideration of the issue of the illegal Israeli actions in East Jerusalem and other occupied Palestinian territories following the issuance of the Secretary-General's report on the state of Israel's implementation of the terms of resolution ES-10/2 of 25 April 1997.

At the outset I should like to express my sincere thanks and appreciation to the Secretary-General, Mr. Kofi Annan, for issuing this report at the appropriate time. We should like to thank him for the accurate

information contained therein and for its comprehensive evaluation of the situation in Al-Quds al-Sharif and other occupied Palestinian lands.

The report of the Secretary-General is replete with additional proof of illegal Israeli actions and practices, particularly in colonial settlement in Al-Quds and elsewhere. Such actions have their repercussions not only on the situation in the occupied Palestinian territory: rather they affect and have repercussions on the entire peace process.

In his report the Secretary-General takes up the obstacles, conditions and restrictions of different kinds placed by the Israeli authorities in the way of his dispatching an envoy to Israel and to occupied Palestinian land in order to seek the facts and collect the necessary information to prepare the report requested by the General Assembly. Israel's manoeuvres prevented the mission to the region.

The report of the Secretary-General shows that up until 20 June of this year, Israel had not renounced the building of a new settlement in Jebel Abu Ghneim in East Jerusalem. Israel continued unabated its activities related to building new settlements, expanding settlements, building bypass roads and confiscating lands abutting settlements and other lands.

The report shows the grave repercussions of the Jebel Abu Ghneim settlement in East Jerusalem for many reasons — political, geographic, demographic and economic. The report has considered them all in detail as well as the negative repercussions of this new settlement on the peace process and on the confidence of the Palestinian people in it. On the other hand, the report of the Secretary-General shows that either through public declarations or through continuing the building of a settlement in Jebel Abu Ghneim, the Israeli Prime Minister and other high officials of his Government continue to reject the provisions of the General Assembly resolution, which clearly demands an immediate end to the building of that settlement.

The Palestinian people in the Gaza Strip and the West Bank have demonstrated and for two months have faced Israeli forces which have either killed or wounded hundreds. That has continued while, at the same time, support to settlements and to their economic infrastructures has continued from foreign institutions and individuals, examples of which are given in the report.

The Secretary-General's report also informs us that Israel continues to implement other illegal measures in East Jerusalem aimed at changing the status of the city, its legal status, demographic make-up and character. It included mention of a number of administrative and legal measures aimed at treating the Palestinian Arab inhabitants of Al-Quds as resident immigrants who are subject to discriminatory immigration checkpoints with the pretext that they had transferred their centre of life outside of Israel and were therefore to be deprived of their rights, medical services, social welfare and other services. Such measures threaten the Arab presence in Al-Quds, including between sixty thousand and eighty thousand Palestinian Arab citizens in East Jerusalem.

The list of Israel's violations is very long. The Israeli Government, as shown in the report of the Secretary-General, continues to reject the applicability *de jure* of the Fourth Geneva Convention of 1949 to all the territories occupied since 1967, while all the other contracting parties, as well as the International Committee of the Red Cross, are in agreement that the Convention is *de jure* applicable to the occupied territories.

No less endangered by all of the above is the principle of territorial integrity of Palestinian lands, which Israel insists on jeopardizing. It is a principle enshrined in the Oslo agreement. Israel restricts the movements of peoples and goods between different areas of the West Bank on the one hand, and between Jerusalem and the West Bank and the Gaza Strip, on the other, thus persisting in its policy of closure and full isolation of the occupied territories which has been in force since March 1993.

The report cites many other examples of Israeli policies and measures which violate international law — measures which raise tension and threaten the peace process, measures which violate the rights of the Palestinian people, including the indiscriminate detention of Palestinians without specific charges, their detention without trial and their torture in detention camps and prisons. Other forms of abuse include the demolition of Palestinian homes and the uprooting of people.

It is clear that Israel has implemented not one of the measures demanded by the General Assembly on 25 April 1997. More specifically, it has not ceased building the Jebel Abu Ghneim settlement and has not put an end to the colonial settlement activities in the rest of the occupied territories. Since the issuance of the report of

the Secretary-General more than two weeks ago, we have no news whatsoever to the contrary.

It is also clear that Israel has shown no intention and no readiness to cease its illegitimate act of building colonial settlements. It is therefore persisting in its intransigence and challenge to the will of the international community.

The comprehensive, just and lasting solution to the question of Palestine lies in renouncing such measures. It lies in respecting contractual agreements, it lies in seriousness, sincerity and goodwill in negotiations aimed at achieving the national rights of the Palestinian people.

The international community cannot continue to sit on its hands in face of the continuing violations by Israel of international law, of its disregard of its commitments through membership in the United Nations. The law of the jungle cannot continue without punishment. The credibility of the United Nations is at stake here. International public opinion will now judge the seriousness with which this Organization deals with this issue compared to other international problems. Israel is not immune and cannot alone stand above the law. The principles and provisions of the Charter must apply to it as it applies to others.

We call on the General Assembly to side with right and to act decisively to compel the Israeli Government to renounce its current policy and to resume the peace process in a positive spirit so that the Oslo objectives may be reached and so that we may see implementation of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) on all tracks.

The time has come for the Palestinian people to enjoy freedom and peace in their homeland. The time has come for the Israeli Government of the day to understand that there can be no coexistence or stability without the recognition of the right of The Palestinian people to self-determination and to establish its independent State with Jerusalem as its capital.

The sponsors of the peace process shoulder a great historic responsibility. They must avoid this stumbling of the peace efforts. They must make the utmost effort to push the process forward to achieve a just durable peace in the Middle East according to international legitimacy and the aspirations of the peoples involved.

Mr. Kim Chang Guk (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea fully supports this resumption of the tenth emergency special session of the General Assembly to consider the item "Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory". However, it is simply deplorable that the Member States should have to gather again to consider the same issue less than three months later.

As stated in the report of the Secretary-General, the Israeli Government has not abandoned its construction of new settlements or, worse still, its expansion of existing settlements, confiscation of lands adjacent to settlements and construction of bypass roads in East Jerusalem and other occupied territories, even after the adoption of resolution ES-10/2 on 25 April this year. This deliberate non-compliance with the resolution on the part of the Israeli Government disappoints and frustrates the international community, which desires a comprehensive and peaceful settlement of the Middle East question.

How is it, then, that no substantive progress has been made on the Middle East issue despite all the international efforts? It is, above all, because of the occupation policy of the Israeli Government. The Israeli Government is intending to change the demographic composition and legal status of East Jerusalem to realize the perpetual occupation of East Jerusalem by bringing in Jews to settle there.

The continued tense situation in the Middle East is also due to the failure of the Israeli occupation forces to fulfil their obligations under the United Nations Charter and international law. The Israeli Government is now ruthlessly violating even the most basic rights of the Palestinian people, particularly their rights to survival and freedom.

We should deal with the Middle East question with a correct understanding of the struggle for self-determination and of terrorist acts. It is true that there can be no peace in occupied territories and that where there is oppression, there is resistance.

It is the sacred right of the Palestine people to struggle for its independence and freedom in the occupied territory. The struggle of the Palestine people for survival and self-determination is not terrorism. Therefore, it is a mockery of the United Nations Charter and the declaration on self-determination that the Israeli authorities define the resistance of the Palestinian people as terrorism.

The Middle East question should be resolved fairly and comprehensively on the basis of the principle of land for peace. To this end, the Israeli authorities should, above all, desist in their policy of occupation, stop without further delay the construction of the new settlement and withdraw their forces from the occupied territory of Palestine and other Arab States, in accordance with the just demand of the international community.

The Israeli authorities, the occupation forces, should also fulfil their obligations under the United Nations Charter and international law, stop creating obstacles to the Middle East peace process and implement their agreement with the Palestine Liberation Organization.

The meeting rose at 1.10 p.m.